

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

EMILY GELLATLY and OWEN  
ERQUIAGA, individually and on behalf of all  
others similarly situated,

Plaintiffs,

v.

REALTY INCOME CORPORATION,

Defendant.

Case No. 2:17-cv-00692-DSC

Filed Electronically

ORDER DISMISSING PLAINTIFFS' ACTION

AND NOW this 19 day of December, 2017, upon consideration of the Parties'

Stipulation of Dismissal pursuant to Fed. R. Civ. P. 41(a)(1)(A) and Rule 23(e) and in  
accordance with the Parties' Stipulation of Dismissal and Confidential Settlement Agreement  
and Release ("Settlement Agreement"), it is HEREBY ORDERED, ADJUDGED and  
DECREED as follows:

1. The above-captioned action is dismissed with prejudice as to Plaintiffs Emily Gellatly and Owen Erquiaga's individual claims, including all claims that were brought or could have been brought by Plaintiffs, with each Party to bear its own costs except as provided in the Settlement Agreement.
2. The above-captioned action is dismissed without prejudice as to the claims of the putative class members.
3. The Court retains jurisdiction over the parties and the above-captioned action with respect to the sufficiency of Realty Income Corporation's ("RIC") policies and procedures addressing the accessibility of the parking facilities and outdoor areas for the properties owned by RIC, the timing of any improvements or remediation pursuant to RIC's plan, and the interpretation and enforcement of the Settlement Agreement.
4. The Clerk shall mark this case as CLOSED.

  
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Judge